THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.8396 of 2006

Date 22.02.2007

Between:
Rajan Nanda & others.

..... PETITIONERS

AND

The Commissioner of Police, Cyberabad Police Commissionerate, Lakdikapool, Hyderabad & others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.ESWARAIAH

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O R D E R:

The petitioners filed this writ petition alleging that the second respondent/Station House Officer, Shammerpet Police Station, Ranga Reddy District, at the instance of M/s. Swan Consultants represented by its partners viz., S.Thirupathaiah and Venkateswarlu, is interfering with the proprietary and possessory rights of the petitioners over the lands admeasuring Ac.1-29gts; 600 sq. yards and 200 sq. yards in Sy.No.56 situated at Thumkunta village, Shameerpet Mandal, Ranga Reddy District respectively by calling them to the police station. Petitioners further seek a direction to respondents not to interfere with the proprietary and possessory rights of the petitioners.

In the counter affidavit filed by the respondents, it is stated that no complaint was received from M/s. Swan Consultants represented by its partners viz., S.Thirupathaiah and Venkateswarlu and they never approached the police station and lodged a complaint against the petitioners. The respondents also denied the allegations that the petitioners were called to the police station and that the civil rights of the petitioners were interfered with.

In view of the disputed questions of fact, this Court cannot conduct enquiry into the same. If really, the petitioners are aggrieved by the action of the police, it is always open for them to file a private complaint before the appropriate criminal Court for taking necessary action against the concerned. The Writ Petition is accordingly dismissed. No order as to costs.

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22-02-2007

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